

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Criminal No. 24-327 (JRT/DLM)

Plaintiff,

v.

ORDER

DEVINN JOSEPH VARIN,

Defendant.

William C. Mattessich, Assistant United States Attorney, **UNITED STATES ATTORNEY'S OFFICE**, 300 South 4th Street, Suite 600, Minneapolis, MN 55415, for plaintiff.

James S Becker, Assistant Federal Defender, **OFFICE OF THE FEDERAL DEFENDER**, 300 South Fourth Street, Suite 107 US Courthouse, Minneapolis, MN 55415, for defendant.

United States Magistrate Judge Douglas L. Micko filed a report and recommendation on 05/28/2025. [ECF No. 33]. No objections have been filed to the R&R in the time period permitted.

Accordingly, based on the report and recommendation and all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The report and recommendation [ECF No. 33] is adopted.
2. Mr. Varin's Motion to Dismiss Count One of the Indictment [ECF No. 28] is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: June 11, 2025
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge